

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC-SDNY
DOCUMENT
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DATE FILED: 11/12/19

XUEJIE HE,

Plaintiff,

v.

OFFICE OF THE NEW YORK CITY
COMPTROLLER,

Defendant.

No. 18-CV-7806 (RA)

ORDER


RONNIE ABRAMS, United States District Judge:

Plaintiff Xuejie He filed this action *pro se* on August 27, 2018. On August 27, 2019, Defendant moved to dismiss. On September 26, 2019, Plaintiff filed a “Notice of Motion to Dismiss,” indicating that Plaintiff had “moved the case to the [United States Supreme Court]” and asserting that this Court “has no jurisdiction” with respect to Defendant’s motion (*see* Dkt. 21). On September 27, 2019, the Court ordered the parties to confer and file a joint letter by October 18, 2019 with respect to whether Plaintiff seeks to further pursue this action before this Court (*see* Dkt. 23). On October 18, 2019, upon receiving Defendant’s letter, the Court ordered Plaintiff to inform the Court, no later than November 8, 2019, whether she intends to pursue this action, and advised Plaintiff that if the Court did not receive a response by that date, it would dismiss this action pursuant to Federal Rule of Civil Procedure 41 for failure to prosecute (*see* Dkt. 26). On October 31, 2019, Plaintiff filed a letter (dated October 24, 2019) indicating that she brought a petition in the United States Supreme Court (*see* Dkt. 27). Plaintiff’s October 31, 2019 letter is not responsive to the Court’s October 18th order, though it seems to indicate that Plaintiff does *not* intend to pursue this action in this Court. **If Plaintiff does not file a response indicating her intent to pursue this action by November 19, 2019, this action will be dismissed for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b).**

The Clerk of Court is respectfully directed to mail this Order to Plaintiff no later than
November 14, 2019,

SO ORDERED.

Dated: November 12, 2019
New York, New York



Ronnie Abrams
United States District Judge